

Bruce T. Beesley

Honorable Bruce T. Beesley
United States Bankruptcy Judge



Entered on Docket
May 14, 2014

RICHARD D. YOUNG, ESQ.
Nevada Bar No. 11331
CAROLINE S. ROSKE, ESQ.
Nevada Bar No. 13236
KOELLER NEBEKER CARLSON & HALUCK, LLP
300 S. Fourth St., Suite 500
Las Vegas, NV 89101
richard.young@knchlaw.com
Phone: (702) 853-5500
Fax: (702) 853-5599
Attorneys for Movants, DEL WEBB
COMMUNITIES, INC., PN II, INC.,
and PN II, INC. dba PULTE HOMES
OF NEVADA

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

IN RE:)	CASE NO: 09-33776-btb
)	CHAPTER 7
EXECUTIVE PLASTERING, INC.,)	
)	ORDER GRANTING MOTION FOR
)	RELIEF FROM AUTOMATIC STAY
Debtor.)	
)	
)	Hearing Date: 5/13/14
)	Hearing Time: 10:00 a.m.

This matter having been heard on the 13th day of May, 2014; the Court having reviewed and considered the Motion for Relief from Stay filed April 8th, 2014, (hereinafter "the Motion") brought by DEL WEBB COMMUNITIES, INC. and PN II, INC. dba PULTE HOMES OF NEVADA, (hereinafter collectively referred to as "Movants") for an order, pursuant to 11 USC 362(d) of the Bankruptcy Code; appearances having been noted on the

1 record; arguments made by counsel; and with the findings of the Court having been made on
2 the record and incorporated herein;

3 And notice of the Motion having been provided to the Office of the United States
4 Trustee for the District of Nevada and other interested parties;

5 And it appearing that no other or further notice of the Motion need be provided;

6 And good and sufficient cause appearing therefor;

7 **IT IS HEREBY ORDERED** that the Motion to allow Movants to proceed against the
8 Debtor and its insurance carriers for the purpose of establishing liability against Debtor is
9 GRANTED as to the following case:

10 1. *Anthem Highlands Homeowners v. Del Webb Communities, Inc. & PN II, Inc.*;
11 Pre-Litigation;

12 **IT IS FURTHER ORDERED** that Movants will pursue Debtor's insurance proceeds
13 only and will waive any claims Movants may have against the bankruptcy estate.

14 DATED this 13th day of May, 2014.

15 KOELLER NEBEKER CARLSON &
16 HALUCK, LLP

17
18 BY: 

19 RICHARD D. YOUNG, ESQ.
20 Nevada Bar No. 11331
21 CAROLINE S. ROSKE, ESQ.
22 Nevada Bar No. 13236
23 300 S. Fourth St., Suite 500
24 Las Vegas, NV 89101
25 Attorneys for Movants
26 DEL WEBB COMMUNITIES, INC. and
27 PN II, INC. dba PULTE HOMES OF
28 NEVADA

CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

☐ The court has waived the requirement set forth in LR 9021(b)(1).

☒ No party appeared at the hearing or filed an objection to the motion.

☐ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing:

Unrepresented parties appearing: None

Trustee: No Appearance at Hearing; No additional Service required.

☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order